

| | | |
|---|---------------------------------------|--|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 065691-0466 |
| INTERNATIONAL APPLICATION NO. PCT/IB2005/000896 | INTERNATIONAL FILING DATE 3/4/2005 | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/591,538 |
| TITLE OF INVENTION PREPARATION OF RECOMBINANT ROTAVIRUS PROTEINS IN MILK OF TRANSGENIC NON-HUMAN MAMMALS | | PRIORITY DATE CLAIMED 3/4/2004 |
| APPLICANT(S) FOR DO/EO/US Jean COHEN et al. | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| Items 11 to 20 below concern other document(s) or information included: | | |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> | | |

| | | | | | |
|--|--------------|---|------|---|---------|
| U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) 10/591,538 | | INTERNATIONAL APPLICATION NO. PCT/IB2005/000896 | | ATTORNEY'S DOCKET NUMBER 065691-0466 | |
| 20. <input checked="" type="checkbox"/> Other items or information: Return copy of Notification of Missing Requirements | | | | | |
| The following fees have been submitted: | | | | CALCULATIONS | |
| | | | | PTO USE ONLY | |
| 21. <input checked="" type="checkbox"/> Basic national fee | \$310 | | | \$ | |
| 22. <input checked="" type="checkbox"/> Examination fee | | | | \$ | |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) | | | | \$0 | |
| All other situations | | | | \$210 | |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) | | | | | |
| If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) | | | | \$0 | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority | | | | \$100 | |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB | | | | \$410 | |
| All other situations | | | | \$510 | |
| TOTAL OF ABOVE 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$260.00 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | RATE | |
| 54 | - 100 = 0 | /50 = 0 | | x \$260.00 | \$ |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the commencement of the national stage (37 CFR 1.492(h)) | | | | \$ 130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | \$ |
| Total Claims | 33 - 20 = 13 | | x \$ | 50.00 | \$ |
| Independent Claims | 1 - 3 = 0 | | x \$ | 210.00 | \$ 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$ | 370.00 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 130.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | \$ 0.00 | |
| SUBTOTAL = | | | | \$ 130.00 | |
| Applicants hereby petition for a one month extension of time to respond to Notification of Missing Requirements mailed on April 9, 2008, and enclose a credit card payment form including the required extension fee of = | | | | \$ 120.00 | |
| TOTAL FEES ENCLOSED = | | | | \$ 250.00 | |
| | | | | Amount to be refunded: | |
| | | | | Amount to be charged: | |

06/24/2008 GFREY1 00000075 10591538

01 FC:1617 130.00 OP
02 FC:1251 120.00 OP


- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 19-0741 in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0741. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charge to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

ADVISORY: If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your **credit card information may be displayed via PAIR**. To protect your information, it is recommended paying fees online by using the electronic payment method.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Foley & Lardner LLP
Customer Number: 22428



SIGNATURE
Rouget F. Henschel

NAME
39,221

REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/591,538 | Jean Cohen | 065691-0466 |

22428
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

| INTERNATIONAL APPLICATION NO. | |
|-------------------------------|---------------|
| PCT/IB2005/000896 | |
| I.A. FILING DATE | PRIORITY DATE |
| 03/04/2005 | 03/04/2004 |

CONFIRMATION NO. 2984
371 FORMALITIES LETTER



Date Mailed: 04/09/2008

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 09/01/2006
- Copy of the International Search Report filed on 09/01/2006
- Preliminary Amendments filed on 09/01/2006
- U.S. Basic National Fees filed on 09/01/2006
- Priority Documents filed on 09/01/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application**. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence

listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice:

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226